

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL REVISION No.21 of 2021

Arising Out of PS. Case No.-2 Year-2020 Thana- KHIJARSARAI District- Gaya

JAGDISH CHAUDHARY S/o Siyasharan Chaudhary @ Siya Sharan Choudhari R/o village- Siswar Beldari, P.S.- Khizersarai, District- Gaya, under the guardianship of his brother namely Kanhay Chaudhari, S/o Siyasharan Chaudhary @ Siya Sharan Choudhari, R/o village- Beldari, Post-Musepur, P.S.- Khizersarai, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate
For the Respondent/s : Mr.Ashok Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 17-03-2021 The present case was heard at length on 15.03.2021 and today it has been listed 'For Orders'.

The present revision petition has been filed against the order dated 20.08.2020 passed in Criminal Appeal (Juvenile) No. 40 of 2020 (C.I.S.), passed by the learned Special Judge (Children Court), Gaya whereby and whereunder the appeal has been dismissed and the order of the Juvenile Justice Board, Gaya dated 10.06.2020 passed in G.R. No. 19/2020 / Misc. No. 14/2020 arising out of Khizersarai P.S. Case No. 02 of 2020 under Sections 304(B), 306, 201 and 34 of the Indian Penal Code, rejecting the prayer of the petitioner for grant of bail, has been upheld.



The case of the prosecution in brief is that the daughter of the informant was married with the petitioner in the year 2017 according to Hindu rites and customs and her *Gauna* (second marriage) was performed in the month of October, 2019 whereafter she had gone to her in-law place, however, subsequently the in-laws of the daughter of the informant including the petitioner herein, who happens to be the husband of the informant used to torture the daughter of the informant on account of non-fulfillment of the demand for a motorcycle by way of dowry and subsequently the petitioner and others are alleged to have killed the daughter of the informant.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted that the petitioner is languishing in observation home since 17.01.2020. The learned counsel for the petitioner has also submitted that the petitioner has been declared a juvenile i.e. child in conflict with law inasmuch as his age has been determined to be 17 years 10 months as on the date of occurrence, hence a liberal view be taken in the matter.



Per contra, Shri Ashok Kumar, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having heard the learned counsel for the parties and having gone through the materials on record as also the case diary in question apart from having perused the social investigation report, this Court finds that prima facie a case is definitely made out against the petitioner for the offences alleged and the records as also the nature of crime committed by the petitioner would bear it out that in case bail is granted to the petitioner, the same would defeat the ends of justice, hence I do not find any merits in the present petition, accordingly, the present petition stands dismissed.

(Mohit Kumar Shah, J)

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